IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 9172 of 2004

Between:

M. Balakrishan S/o Narayana
APSRTC, Gajwel Pragnapur Bus Depot, Medak District

..... PETITIONER

AND

1 The Regional Manager, APSRTC., Medak Region at Sangareddy
2 The Depot Manager, APSRTC., Gajwel Pragnapur Bus Depot, Medak

District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any writ of Mandamus declaring that the action of the Respondents in transferring the petitioner from Gajwel Pragnapur Bus Depot to Rajahmundry Region is bad, arbitrary, illegal, unjust and unreasonable, without jurisdiction and contrary to the regulations by setting a side the order No. P1/255(1)/2004-GPP, dt 24-4-2004 of the 2nd respondent herein and concerned orders if any, and direct the respondents herein to continue the petitioner in the present depot.

Counsel for the Petitioner: MR.P.VENKATESWAR RAO

Counsel for the Respondents: MR.V.T.M.PRASAD

The Court made the following:

ORDER:

Heard both sides and at their request the main writ petition is taken up for disposal.

The petitioner, who is working as a casual Driver, filed this writ petition, *inter alia*, seeking to assail the order of transfer dated 24.04.2004 transferring the petitioner from Gajwel Pregnapur Bus Depot to Rjahmundry Region, due to peak season operations.

This Court has granted interim stay initially on 18.05.2004. The main ground urged in the writ petition is that the Depot Manager has no such power to effect transfer from one region to another region.

The learned Standing Counsel appearing on behalf of the respondents submits that since the peak season is already over, other employees who have been transferred along with the petitioner have also been brought to their respective regions and posts.

In view of the same, the interim order itself has worked out and nothing survives. Accordingly, the writ petition is allowed and the impugned order dated 24.04.2004 is set aside. No costs.

22.12.2004

VGB

That Rule nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this Wednesday, The Twenty Second Day of December, Two Thousand and Four.

To

1 The Regional Manager, APSRTC., Medak Region at Sangareddy
2 The Depot Manager, APSRTC., Gajwel Pragnapur Bus Depot, Medak

District

3 2CD copies.